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**Study Finds Tennessee's Court System Costly, Inefficient, Needs to be Streamlined**

NASHVILLE, Tenn. – Tennessee's court system is costly, inefficient and should be streamlined, a study by the Tennessee Comptroller's Office of Research found.

Reports over the past two decades have documented the wide disparity in how courts are administered and funded.

The new study, conducted over two years, found that court costs are not uniform across the state, many judges don't feel compelled to comply with state policies because they are elected and paid locally, and there are no standards or qualifications for court clerks.

"Some clerks acknowledged that many newly elected clerks know little or nothing about the job or the court system," the report said.

The study suggests the General Assembly could convert all but municipal courts to state courts – funded by state dollars – to improve the system's overall efficiency.

Alcohol and drug use is a factor in a majority of non-violent cases in criminal court. Establishing drug and mental health courts with treatment programs could produce significant cost savings and reduced recidivism rates, the study said.

Legislators also could change state law so there would be one chief clerk in each district for limited jurisdiction (general sessions and juvenile) courts and one chief clerk for general jurisdiction (circuit, criminal and chancery) courts.

Electing and employing several court clerks in each county is costly and inefficient. Circuit and chancery court clerks have overlapping jurisdictions in most counties. This results in higher costs because the clerks must be elected and paid at a full clerk's salary rather than a lower salary if there were one chief clerk and several deputies, the report noted.

In conducting the study, Office of Research analysts interviewed 85 judicial officials in 10 Tennessee counties along with 21 other state officials and 11 experts in other states.

Court costs are not uniform across the state and can vary within courts in the same county. That lack of uniformity can result in inconsistent application of the law and over- and under-collection of court revenue, the study said.

"The National Center for State Courts, other national organizations and others interviewed argue that separate funding for local courts makes it more difficult to administer court funds and contributes to the lack of uniformity," the report said.

Standardizing the judicial structure of the limited jurisdiction and general jurisdiction courts would improve judicial and administrative efficiency and reduce waste of time and money, according to the study.

A shortage of prosecutors and public defenders jeopardizes due process, especially in juvenile court. That means the overall cost to taxpayers under the existing system is higher than it would be by adding more assistant district attorneys and public defenders, the study said.

The report is available on the Comptroller's Web site at [www.comptroller.state.tn.us](http://www.comptroller.state.tn.us).